

August 2, 2010

TO: Teresa Parsons, SPHR
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR *KB*
Director's Review Investigator

SUBJECT: Florence Edwards v. Seattle Community College District (SCCD)
Allocation Review Request ALLO-09-057

Director's Determination

This position review was based on the work performed for the six-month period prior April 28, 2009, the date SCCD Human Resources received the request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review conference. Based on my review and analysis of Ms. Edwards' assigned duties and responsibilities, I conclude her position should be reallocated to the Mail Processing-Driver Lead classification.

Background

On April 28, 2009 SCCD's Human Resources Office received Ms. Edwards' Position Questionnaire, dated April 28, 2009 requesting that her Program Coordinator position be reallocated to Program Manager A. On September 7, 2009 Dr. Patricia Hutcherson, Educational Consultant to SCCD, notified Ms. Edwards that her position was properly allocated as a Program Coordinator. Dr. Hutcherson determined the majority of duties assigned to the position met the Program Coordinator class (Exhibit A-2).

On October 6, 2009, the Department of Personnel received her request for a Director's review of SCCD's allocation determination (Exhibit A-1).

On May 26, 2010, I conducted a Director's review telephone conference. Present during the call were Florence Edwards, Robin Ledbetter, Council Representative, WFSE; Mr. Gabe Hargrove, Council Representative, WFSE; Mr. Charles Sims, Chief of Human Resources, SCCD; and Mr. Najib Hallaq, Manager, Mailing, Receiving & Copy Centers.

On June 3, Ms. Edwards submitted a written statement as a follow-up to the information discussed during the telephone review conference (Exhibit A-8).

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

I reviewed Ms. Edwards' Position Questionnaire (PQ) in conjunction with her supervisor's responses (Exhibit B-2).

Ms. Edwards' position supports the Mail, Receiving & Trucking services unit at SCCD. Ms. Edwards states the mission of the unit is to provide safe, efficient, and expedient delivery and distribution of college mail, goods, packages, and crated materials to the District. Ms. Edwards coordinates the unit's daily operations, directing and working with two permanent mail carrier drivers and other staff to provide delivery, mailing and receiving services.

During the telephone review conference, Ms. Edwards explained that daily mail is picked up and delivered to main campus locations across the District. The unit also collects mail which is brought in, processed, affixed with postage and sent out for pick up by postal services. The unit also receives and processes UPS, FedEx and other packages. Ms. Edwards developed a spreadsheet system which is used to log in packages, which are then dispersed and tracked for billing purposes. Ms. Edwards maintains daily mail reports which are summarized and forwarded monthly to the business office for charge back to campus units. Ms. Edwards oversees the charge and credit processing process to make sure sufficient funds are on hand and to make sure operations are in compliance with federal law.

In the Supervisor Review section of the PQ (Exhibit B-2, Part III), Mr. Hallaq disagrees with significant portions of Ms. Edwards description of duties, stating that some of the described duties were not authorized to be performed. He states the majority of Ms. Edwards's duties do not exceed her position's job description and the ones which exceed her position were never authorized to be performed and if performed, were performed without his knowledge or approval.

The following summarizes the duties described on the PQ followed by related responses from her supervisor. Ms. Edwards states the majority of her work involves program/funds management and staff supervision (summarized from Exhibit B-2):

65% Program/Funds Management – Request and submit the annual operating budget for mail services and U.S. Postage. Generate annual orders for service and maintenance agreements, and U.S. Postal fees. Reconcile office credit card purchases with invoices. Approve credit expenditures for auto repairs such as tire purchases and windshield replacements for the mail vans. Research, design, and implement new (mail processing spreadsheet) programs for the department. Respond to requests from managers, students, and workers regarding dock space needed for staging projects, or for delivery set ups. Reset the DM 1000 mail machine each month, download updates to the meter, verify mail funds, and load funds if low. Collect DM 1000 mail reports daily, input new mail budget when requested.

Staff Supervision – Reassign staff when necessary. Complete performance evaluations for staff and submit to manager for review. Approve leave requests. Forward attendance reports to the manager. Interview and hire student and part-time staff. Maintain time sheets for work-study and part-time workers. Notify college community of changes to services due to staff absences.

Mr. Hallaq states Ms. Edwards' activities involving requesting and submitting the annual operating budget for mail services and interviewing and hiring part-time help were performed without his knowledge and without his prior approval. Mr. Hallaq states in his response that he supervises all the employees and the day to day activities of the unit. Mr. Hallaq has given delegated authority to Ms. Edwards to hire part-time financial aid students when necessary to cover employee absences.

Mr. Hallaq asserts the statement regarding generating annual orders for service and maintenance agreements is overstated as this responsibility is limited to one machine (DM 1000), and in reality this order should be submitted to him for approval rather than being handled directly by Ms. Edwards.

Mr. Hallaq also asserts that he retains authority for conducting performance evaluations for the mail services unit, and that the most recent evaluations were undertaken without his prior knowledge.

Mr. Hallaq states that most of Ms. Edwards' duties such as responding to requests from managers and students regarding dock space are simple in nature and easily resolved with a phone call or simple notice.

25% Office Management/Customer Service – Report scheduled postage increases. Gather, file and dispense documents to Accounts Payable, Purchasing, the Business office, Payroll and HR. Act as a liaison between offices to expedite document processing. Answer telephones, respond to inquiries regarding operations. Prepare annual orders and other documents for Mail & Receiving. Prepare bulk mailings and supporting documents. Order supplies and maintain

inventory for department use. Verify charges from vendors, purchase orders, authorize payments. Compile and prepare monthly Mail Services Report which includes postage charges to each college budget.

- 10% Mail and Receiving Duties – Mail Room: Receive, sort, case, and meter mail. Prepare shipping documents for express mail, certified mail, and UPS packages. Receiving – Accept/sign-for/sort, and log-in shipments from UPS, Fed EX, Staples, and others. Log-in shipments using bar code scanner and MS Excel program. Prepare items for delivery; locate, match, sign receiving documents and forward to Accounts Payable authorizing payment.

Ms. Edwards' Position Statement

Ms. Edwards asserts she has been functioning as a working level supervisor - using her discretion through the general acquiescence of her supervisor to make day to day operational decisions for her department. Ms. Edwards asserts she has been signing leave slips and developing performance evaluation content for Mr. Hallaq's signature. She states Mr. Hallaq was aware of her role in performing these duties and that Mr. Hallaq signed the documents indicating approval. Ms. Edwards asserts this became an issue when she started the reallocation process and asked to be formally recognized for these responsibilities. Ms. Edwards asserts she did not surreptitiously perform these duties, but performed them because her supervisor is very seldom present and only available by phone.

SCCD's Position Statement

SCCD acknowledges that Ms. Edwards and Mr. Hallaq had communication issues and that Mr. Hallaq's remote work location from the mail services unit impacted their interactions. SCCD acknowledges Ms. Edwards works independently, requiring little or no daily supervision by Mr. Hallaq. SCCD recognizes Ms. Edwards' initiative and performance went beyond the scope of her assigned duties.

However, SCCD asserts Mr. Hallaq provided supervisory direction to Ms. Edwards and disagrees with Ms. Edwards' assertion of implied delegation of supervisory responsibility. SCCD asserts Mr. Hallaq is the manager for the unit and it is his delegated responsibility to carry out daily operations. SCCD asserts that at no time did he delegate higher level supervisory duties to her. The degree to which Ms. Edwards assumed duties outside of her job and role from Mr. Hallaq was without his consent or official delegation as indicated in his letter to her dated September 28, 2009 (Exhibit A-6a). In light of the position review that was conducted, it became more apparent to Mr. Hallaq of the scope of what she was taking on as additional duties without his consent or delegation. At that point he felt it was much more important to clarify her job roles.

SCCD further asserts Ms. Edwards' position does not meet the level of complexity required for allocation to the Program Manager A class. SCCD contends her position is not expected to perform, nor has been delegated the authority to perform supervisory functions including conducting performance evaluations or approving time sheets.

Comparison of Duties to Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the Class Series Concept (if one exists) followed by the Definition and Distinguishing Characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

When determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

When comparing Ms. Edwards' assigned duties and responsibilities, I considered the Program class series and the Mail Processing series, including Mail Processing – Driver Lead and Mail Processing Manager.

Comparison of duties to the Program series

The Class Series Concept for this series states:

Perform work requiring knowledge and experience that is specific to a program. Organize and perform work related to program operations independent of the daily administrative office needs of the supervisor. Represent the program to clients, participants and/or members of the public.

A program is a specialized area with specific complex components and discrete tasks which distinguish it from the main body of an organization. A program is specific to a particular subject. The specialized tasks involve interpretation of policies, procedures and regulations, budget coordination/administration, independent functioning and typically, public contact. Duties are not of a general support nature transferable from one program to another. Performance of clerical duties is in support of incumbent's performance of specialized tasks.

The Personnel Resources Board (PRB) has concluded that while one class appeared to cover the scope of a position, there was another classification that not only encompassed the scope of the position, but specifically encompassed the unique functions performed. In Alvarez v. Olympic College, PRB No. R-ALLO-08-013 (2008), the Board held that “[w]hen there is a definition that specifically includes a particular assignment and there is a general

classification that has a definition which could also apply to the position, the position will be allocated to the class that specifically includes the position. [See Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989)."]

Allocation to the "Program" series requires an assignment of work that is unique and specific to a particular program. However, when the assignment of work is specifically described by another existing class specification, allocation to the "Program" series is not appropriate. If there is a class that encompasses the body of work, allocation to the specific class must take primary consideration. Allocation to a "Program" class should only occur when there are no other viable options for allocation. The Mail Processing series specifically address the body of work under review in this appeal. Since these classes specifically describe the scope of work and specific duties performed by Ms. Edwards, allocating her position to a class within the Program series is not appropriate. For this reason, Ms. Edwards' position should not be allocated to a class within the Program series.

Additionally, Ms. Edwards' position does not meet the level of complexity required for allocation to the Program Manager A class. The mail services unit is not a major administrative department, operation unit or program undertaking within SCCD. Her supervisor does not serve as a senior official at SCCD. Further, the scope and complexity of her duties do not reach the requirements of the distinguishing characteristics for this class for administering two or more of the following services for a major administrative unit: funds management, contract administration, management analysis, property management, space management, program management, budget planning, public information, faculty, administrative, classified staff and student services administration, personnel administration, or staff supervision. Her overall duties are limited in scope and complexity and do not rise to the level of responsibility required by this class.

In total, Ms. Edwards' position should not be allocated to the Program Manager A class.

Comparison of duties to Mail Processing Manager

The Definition for this class states:

Positions allocated to this level provide supervisory and/or managerial oversight of a mail services unit or department. Incumbents develop and implement policies and procedures and assure internal policies, procedures, and practices comply with United States Postal Service and other mail and parcel vendor regulations and procedures. Incumbents monitor and account for expenditures and supervise various special mailing processes such as special rates, mail registration, vendor services, customer services, address systems and mail center inventory.

Ms. Edwards does not perform the full scope of staff supervision and other supervisory activities required for allocation to this class. Mr. Hallaq retains overall supervisory responsibility for the unit. He states Ms. Edwards was not delegated authority to perform staff supervision. Although Ms. Edwards has significant autonomy and independence in

handling the day to day functions in the mail room, her supervisor has indicated her responsibility is limited to organizing and directing the work flow of the unit which includes providing direction to permanent and part-time staff, and hiring part-time students to fill in during employee absences.

Ms. Edwards ensures internal policies, procedures, and practices comply with United States Postal Service and other mail and parcel vendor regulations and procedures. She monitors and accounts for daily expenditures and coordinates the various mailing processes including special rates, mail registration, vendor services, customer services, address systems and mail center inventory. Ms. Edwards' responsibilities for budgeting for the department are limited to determining the appropriate funding levels for the department's mail machine and to determine the funding necessary to renew its annual purchase agreement. She does not have responsibility for developing or monitoring the department's operating budget.

During the telephone conference, Ms. Edwards stated she effectively acted on employee leave requests and forwarded them to Mr. Hallaq for his signature. Ms. Edwards provides on-the-job work instruction but does not perform training and development at a level expected of a supervisor. Ms. Edwards does not have authority to hire permanent staff, but can hire part-time students when needed to fill in for employee absences. Ms. Edwards does not have responsibility for corrective or disciplinary action as a regular part of her job. Ms. Edwards did on her own initiative develop performance evaluations for staff during the timeframe under review which were submitted to Mr. Hallaq for review and signature. However, Mr. Hallaq still retained supervisory authority over the positions in the work unit. In total, her position does not perform the full scope of staff supervision required.

For these reasons her position should not be allocated to the Mail Processing Manager class.

Comparison of duties to Mail Processing-Driver Lead

The Definition for this class states:

Positions allocated to this level regularly assign, instruct, and check the work of others and independently oversee and perform mail services including sorting, processing, delivering, and collecting mail, and operating mail management system. Incumbents typically interpret department and institutional rules and regulations concerning mail operations, resolve complex customer problems, recommend cost effective mailing methods, and address other special or complex mailing requirements and needs.

Incumbents in this class use their knowledge of the United States Postal Services regulations to perform a variety mail services in a mail services unit or department. Duties typically include delivering, collecting, and processing mail, operating a variety of mail

machines, and providing information to mail service customers. The majority of duties performed by Ms. Edwards closely meet this Definition.

The Distinguishing Characteristics for the Mail Processing – Driver Lead class note, in part, positions at this level “regularly assign, instruct, and check the work of others and independently oversee and perform mail services including sorting, processing, deliver, and collecting mail, and operating mail management system.” Further, positions typically interpret rules and regulations concerning mail operations, resolve complex problems with customers, recommend cost effective methods, and address special mailing requirements. These characteristics are consistent with the duties Ms. Edwards performs.

Although the examples of work do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following examples of work are listed under the Mail Processing – Driver Lead class and most relate to the duties she performs:

- Directs the work of lower-level staff and assures mail quality control standards are met;
- Schedules and organizes work for mailing services personnel;
- Operates, maintains, and troubleshoots complex multi-station inserting equipment including intelligent, integrated technology mail equipment;
- Delivers, collects and processes mail;
- Maintains production records; produces periodic reports.

Ms. Edwards regularly directs the work in her department, which includes providing daily work guidance to other mail delivery staff. Her position fully meets the Definition of lead responsibility which requires responsibility to regularly assign, instruct, and check the work of employees performing similar duties, as stated in DOP's Glossary – Classification, Compensation & Management

<http://www.dop.wa.gov/CompClass/CompAndClassServices/Pages/HRProfessionalTools.aspx>

Ms. Edwards' position extends beyond simply directing the work of others. Her duties and responsibilities are fully consistent with a lead position.

Based on the information provided and the discussion held during the Director's review conference, it is clear Ms. Edwards has an important role in ensuring the mail room and copy center operations run smoothly and efficiently. However, a position review is not an evaluation of performance. Likewise, it does not reflect an individual's ability to perform higher-level duties. Rather, a position review is limited to the duties and responsibilities assigned to a position and how the majority of those duties best fit the available job classifications. Based on the overall assignment of work, the Mail Processing – Driver Lead classification best describes her position. Ms. Edwards' position should be reallocated to that class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 600 South Franklin, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 753-0139.

If no further action is taken, the Director's determination becomes final.

c: Florence Edwards
Charles Sims, SCCD
Robin Ledbetter, WFSE
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Florence Edwards v. Seattle Community College (ALLO-09-057)

List of Exhibits

A. Florence Edwards Exhibits

1. Request for Director's Review, dated October 5, 2009.
2. SCCD Allocation determination letter, dated September 7, 2009.
3. Bulk mail memorandum dated February 25, 2003.
4. Performance Evaluation excerpts:
 - a. Performance Evaluation (pg 4), dated February 7, 2005
 - b. Performance Evaluation statement by Florence Edwards (pg 5-6), dated November 10, 2009.
5. Statement from Florence Edwards regarding monthly leave reports with attachments:
 - a. Memo from Najib Hallaq to Mailing & Receiving staff regarding sick leave requests
 - b. Leave Report for Mail & Receiving
 - c. Leave Report for August 2007
 - d. Mail, Shipping/Receiving & Trucking Leave Report – February 2008
 - e. 2008 December Leave Report
 - f. 2009 January Leave Report
 - g. 2009 February Leave Report.
6. Statement regarding September 28, 2009 Letter with attachments:
 - a. Letter from Najib Hallaq to Florence Edwards regarding job duties, dated September 28, 2009
 - b. Letter of response from Florence Edwards to Najib Hallaq, dated September 29, 2009.
7. Training letter attachments:
 - a. Letter from Najib Hallaq to Florence Edwards regarding Cross-training, dated November 9, 2009
 - b. Letter from Florence Edwards to Najib Hallaq regarding training, dated November 12, 2009.
8. Email from Robin Ledbetter to Kris Brophy, dated June 3, 2010, enclosing a copy of an Employment Notice and Service Record change for Florence Edwards position while she was on medical leave, dated May 6, 2005.

B. Seattle Community College District Exhibits

2. Letter of Reassignment from Peter Ku to Florence Edwards, dated June 3, 2002. Includes a copy of WAC 251-19-090, and SCCD Class Specification for Program Coordinator.
3. Position Questionnaire for Florence Edwards. Includes Addendums and attachments:
 - a. Interdepartmental Change Form
 - b. March 2009 Combined Mail Charges
 - c. Daily Receiving Tracking Form
 - d. Letter of reassignment from Peter Ku to Florence Edwards, dated 6/2/2002.
4. SCCD Allocation determination letter, dated September 7, 2009.